

HOUSE BILL No. 1734

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-22-3.

Synopsis: Marion County airport authority board. Provides that the airport authority board established for Marion County consists of six members appointed by the mayor of the consolidated city, one member appointed by each county within which the airport authority owns real property, and two members appointed by the governor. Repeals the statute establishing the airport authority board for Marion County.

Effective: July 1, 2005.

Behning, Hinkle

January 19, 2005, read first time and referred to Committee on Local Government.

C
o
p
y



First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1734

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 8-22-3-4 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2005]: Sec. 4. (a) Except as provided in
3 subsections (b), (c), (d), (e), and (f), the board consists of four (4)
4 members, whenever the fiscal body of an eligible entity, acting
5 individually, establishes an authority. The members of the board shall
6 be appointed by the executive of the entity, and not more than two (2)
7 members of the board may be of the same political party.
8 (b) In the event that two (2) cities or one (1) city and one (1) town
9 act jointly to establish an authority under this chapter, the board
10 consists of five (5) members. The executive of each city or town shall
11 each appoint two (2) members to the board. The county executive shall
12 appoint one (1) member to the board. Each member appointed by an
13 executive must be of a different political party than the other appointed
14 member.
15 (c) In the event that an authority is established by a city or town and
16 a county, acting jointly, the board consists of six (6) members. The
17 executive of each entity shall appoint three (3) members. Not more



C
o
p
y

than two (2) members appointed by each executive may be of the same political party.

(d) In the event that an authority was established under IC 19-6-3 (before its repeal on April 1, 1980) the board consists of five (5) members. Three (3) members of the board shall be appointed by the mayor of the city, and two (2) members of the board shall be appointed by the board of commissioners of the county. Not more than two (2) members representing the city may be members of the same political party, and not more than one (1) member representing the county may be a member of the same political party.

(e) Except as provided in ~~section 4.1(b)(3)~~ **section 4.3(b)(2)** of this chapter, the county executive of each Indiana county that is adjacent to a county establishing an authority under this chapter and in which the authority owns real property may appoint one (1) advisory member to the board. An advisory member who is appointed under this subsection:

- (1) must be a resident of the adjacent county;
- (2) may not vote on any matter before the board;
- (3) serves at the pleasure of the appointing authority; and
- (4) serves without compensation or payment for expenses.

(f) The board of an authority established in a city that has a population of more than sixteen thousand six hundred (16,600) but less than seventeen thousand four hundred (17,400) consists of five (5) members. The members of the board shall be appointed by the executive of the eligible entity, and not more than three (3) members of the board may be of the same political party.

SECTION 2. IC 8-22-3-4.3 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2005]: **Sec. 4.3. (a) This section applies only to the board of an airport authority established for a county having a consolidated city.**

(b) The board consists of the following members:

- (1) Six (6) members appointed by the mayor of the consolidated city. Each member appointed under this subdivision must be a resident of the county having the consolidated city.**
- (2) One (1) member appointed by the county executive of each county in which the airport authority owns real property. The county executive of a county represented on the board under this subdivision may not appoint an advisory member under section 4(e) of this chapter.**
- (3) Two (2) members appointed by the governor.**

(c) The mayor of the consolidated city shall appoint one (1)

**C
o
p
y**



1 member under subsection (b)(1) for each township in the county
 2 having a consolidated city in which the airport authority owns
 3 property. A member appointed under this subsection must be a
 4 resident of the township.

5 (d) Not more than three (3) members appointed under
 6 subsection (b)(1) may be of the same political party.

7 (e) A member holds office for four (4) years and until the
 8 member's successor is appointed and qualified.

9 (f) If a vacancy occurs in the board, the authority that appointed
 10 the member that vacated the board shall appoint an individual to
 11 serve for the remainder of the unexpired term.

12 (g) A member may be reappointed to successive terms.

13 (h) A member may be impeached under the procedure provided
 14 for the impeachment of county officers.

15 (i) A member appointed under subsection (b)(2) or (b)(3) may
 16 not vote on a matter before the board relating to imposing,
 17 increasing, or decreasing property taxes in the county having the
 18 consolidated city.

19 SECTION 3. IC 8-22-3-5 IS AMENDED TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) To be eligible to be a member
 21 of the board, a person must have the following qualifications:

22 (1) Be at least eighteen (18) years old.

23 (2) ~~Except as provided in section 4.1 of this chapter,~~ Be a resident
 24 of the county in which the eligible entity is located.

25 (3) Not be actively engaged or employed in commercial
 26 aeronautics.

27 (4) Not hold any other governmental office (by appointment or
 28 election) that has statutory fiscal or management review of the
 29 board's actions.

30 (5) Not serve as a member of any other agency, board,
 31 commission, department, or other governmental entity that:

32 (A) is located within the jurisdiction of the authority; and

33 (B) has statutory fiscal or management review of the
 34 authority's actions.

35 (b) The restrictions on membership qualifications contained in
 36 subsection (a)(4) and (a)(5) apply only to counties in which are located:

37 (1) consolidated cities; or

38 (2) second class cities.

39 SECTION 4. IC 8-22-3-4.1 IS REPEALED [EFFECTIVE JULY 1,
 40 2005].

C
o
p
y

